

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

BRIAN TIMOTHY BRANTLEY,

Plaintiff,

v.

Case No: 2:12-cv-361-FtM-38UAM

KATHERINE L. MYRICK,

Defendant.

ORDER

This matter comes before the Court upon periodic review. On May 22, 2013, Plaintiff was directed to show cause (Doc. # 26) on or before June 4, 2013 indicating why this case should not be dismissed pursuant to Local Rule 3.10 for lack of prosecution due to the failure to file a Case Management Report within the time prescribed by Local Rule 3.05(c)(2)(B). On June 11, 2013, Plaintiff was given one final opportunity to file or explain his failure to file a Case Management Report by June 30, 2013. There has been no further communication from Plaintiff about this case.

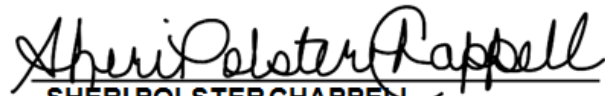
Local Rule 3.10(a) provides that “[w]henver it appears that any case is not being diligently prosecuted the Court may, on motion of any part or on its own motion, enter an order to show cause why the case should not be dismissed, and if no satisfactory cause is shown, the case may be dismissed by the Court for want of prosecution.” Here, Plaintiff has evidenced a lack of interest in participating in the prosecution of his claim. The Court has no confidence that another order directing the Plaintiff’s participation will necessarily result in the advancement of this case.

Accordingly, it is now

ORDERED:

- (1) This case is **DISMISSED** without prejudice.
- (2) The Clerk of the Court is directed to (a) enter judgment dismissing this case without prejudice; (b) terminate any outstanding motions; and (c) close this case.

DONE and **ORDERED** in Fort Myers, Florida this 3rd day of July, 2013.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record